DECLARATORY

Improvement Res. No. 1030-1960

For the Vacation of Schroeder Avenue from the north property line of Pontiac Street to the north property line of Lots 96 and 101, Abbotts Out Lots.

Resolution Adopted:

April 20, 1960

Confirmed:

May 19, 1960

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

July 7, 1960

B. O. 37-'60

DECLARATORY RESOLUTION NO. 1030-1960

For the Vacation of Schroeder Avenue from the north property line of Pontiac Street to the north property line of Lots 96 and 101, Abbotts Out Lots.

PLANS ORDERED: March 7, 1960

ADOPTED: April 20, 1960

ADVERTISE NOTICE TO PROPERTY OWNERS: April 23 & 30, 1960

HEARING ON CONFIRMATION: Thurs., May 19, 1960, 7:30 p.m. IST.

CONFIRMED: May 19, 1960

ASSESSMENT ROLL ORDERED: May 19, 1960

ASSESSMENT ROLL APPROVED: June 14, 1960

HEARING ON CONFIRMATION OF ASSESSMENT ROLL: Thurs., July 7, 1960 at 7:30 p.m. IST.

NOTICE SERVED: June 23, 1960

ASSESSMENT ROLL CONFIRMED: July 7, 1960

Res. 258-1913

vacated Schroeder

Ave. along Lot 100

Abbott's Out Lots

DECLARATORY RESOLUTION No. 1030 1960

For the Vacation ~~Opening Condemnation of right of way for utility purposes~~ of Schroeder Avenue from the north property line of Pontiac Street to the north property line of Lots 96 and 101, Abbotts Out Lots.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Schroeder Avenue from the north property line of Pontiac Street to the north property line of Lots 96 and 101, Abbotts Out Lots.

All as shown by a plan of such proposed Vacation ~~Opening Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation ~~Opening Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening Condemnation of right of way for utility purposes~~ is described as follows: Lots 90, 91, 96 and 101 in Abbotts Out Lots. Said addition inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

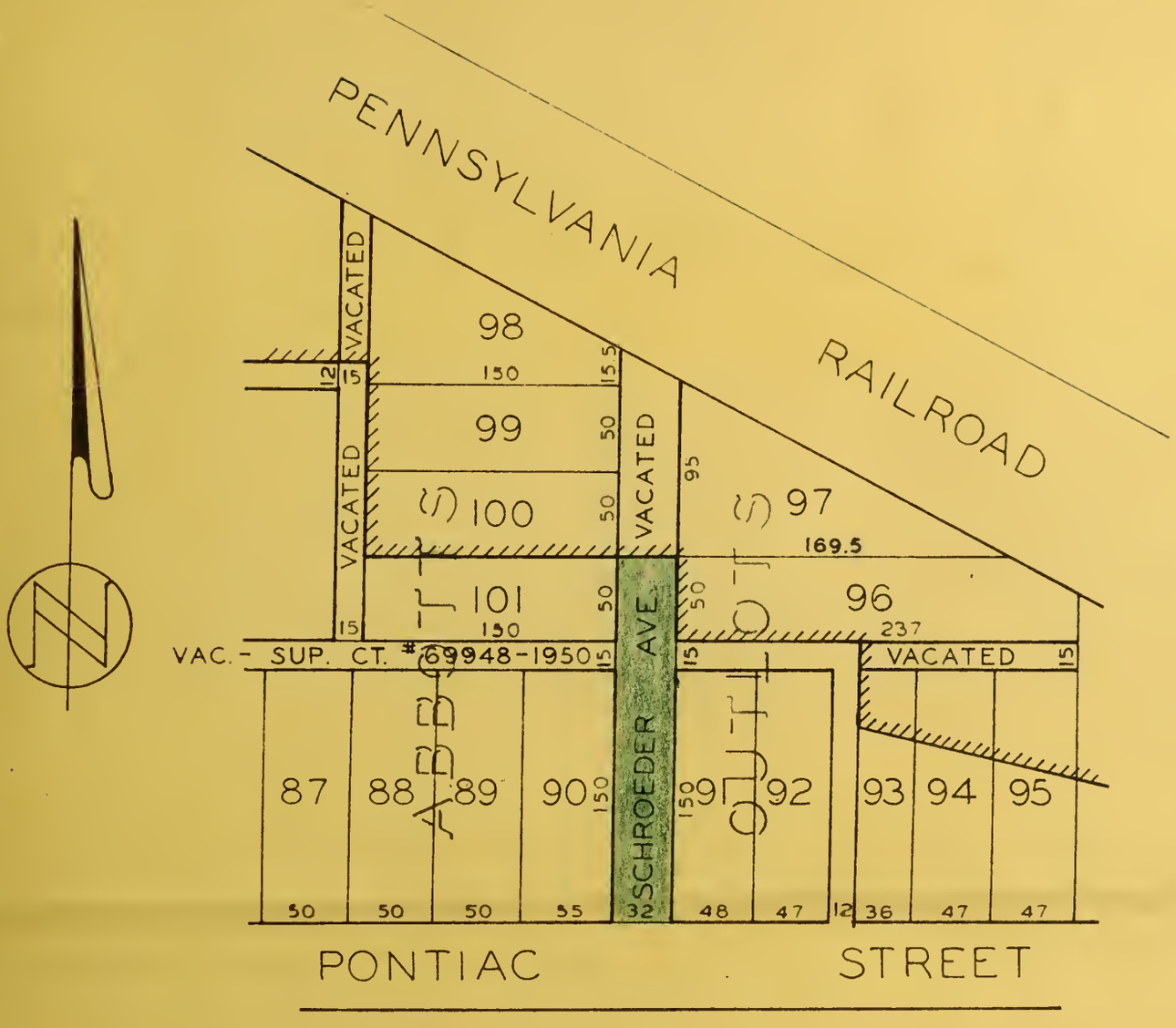
~~The vacation of the above described _____ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.~~

All Streets, lots and lands affected by the above described vacation are situated in the southeast quarter of Section Seven, Township 30 North, Range 13 East and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 20 DAY OF April 1960.

Attest:
Secretary Board of Public Works.

Board of Public Works.



TO BE VACATED

RAILROAD PROPERTY

1030

PETITION

RECEIVED
BOARD OF PUBLIC WORKS
CITY OF FT. WAYNE, IND.
MAR 3 1960

Fort Wayne, Ind., March 3, 1960

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

The undersigned, owners of real estate on East Pontiac Street, Fort Wayne, Indiana, ~~from~~ more particularly described hereinafter ~~to~~ respectfully petitions for the passage of a resolution providing for the

Vacation of Schroeder Avenue from the North boundary of East Pontiac Street in the City of Fort Wayne, Indiana, ~~to the South boundary of the Pennsylvania Railroad~~ Company.

Description of real estate owned by undersigned

Lots Number 88, 89, 90, ~~XXX~~ and 101, together with the West 32.0 feet of Lot Number 91, in Abbott's Outlots in the City of Fort Wayne, Allen County, Indiana.

That Petitioner has a valid legal written contract ~~to purchase Lot Number 100 in Abbott's Outlots~~ in the City of Fort Wayne, Allen County, Indiana, from the Pennsylvania Railroad Company.

FORT WAYNE WIRE DIE, INC.

(Corporate Seal)

BY: Paul Bieberich
Paul Bieberich, President.

ATTEST: Dwight Bieberich
Dwight Bieberich, Secretary.

Petition for Passage

of a Resolution for

_____

_____

_____

_____

_____

from _____

to _____

Filed with the Board of Public Works

OFFICE OF
BOARD OF PUBLIC WORKS

FORT WAYNE 2, INDIANA

NOTED
☐ P.F.R.
☐ J.D.L.
☐ B.W.
Date

41-357-1

B. O. 37-'60

Date May 19, 1960

To City Engineer

Subject Declaratory 1030-1960 Vacation of Schroeder Avenue

from the north property line of Pontiac Street to the north property line of Lots 96 and 101, Abbotts Out Lots.

Prepare Assessment Roll of Benefits and Damages; the property owners benefited to be assessed costs of advertising ------$14.92.

Paul F. Roembke
John D. Lombard
Berkeley Ward
BOARD OF PUBLIC WORKS

ic
attach Res. & P. O. List
cc: Mayor Burns

Signed

Reply:

June 10, 1960

Primary assessment roll of benefits and damages completed and attached.

Edward Green
City Engineer

DB/is
attachs.

RECEIVED
JUN 13 1960

Signed

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

May 16, 1960

The Pennsylvania Railroad Company
1411 South Clinton Street
Fort Wayne, Indiana

Attention Mr. T. C. Netherton, Dist. Engr.

Gentlemen:

This refers to your inquiry in connection with Declaratory Resolution No. 1030-1960 for the vacation of Schroeder Avenue from the north property line of Pontiac Street to the north property line of Lots 96 and 101, Abbott's Out Lots.

We are of the opinion Lot 100 mentioned in your letter is in error and should have read "Lot 101" since that portion of the Avenue which would benefit lot 100 was vacated in 1913.

You are correct in your supposition that one-half of Schroeder Avenue from the alley to the north line of Lots 96 and 101 will revert back to the benefited property owners but the cost of advertising will be charged to those lots abutting said vacation.

Very truly yours,

Kenneth McGraw, Clerk
BOARD OF PUBLIC WORKS

KM:ms

THE PENNSYLVANIA RAILROAD COMPANY

REPLY TO

MAY 9 1960
NOTED

Fort Wayne, Ind., May 4, 1960 (F-6)

Board of Public Works,
City of Fort Wayne
City Hall
Fort Wayne, Indiana

Gentlemen:

Reference is made to the Declaratory Resolution No. 1030-1960, which provides for the vacation of Schroeder Avenue from the North property line of Pontiac Street to the North property line of Lots 96 and 100, Abbott's Out Lots.

Please be advised that the Pennsylvania Railroad have no objection to the vacation of the above named street, and will not file any objections or remonstrance. It is our understanding that in the case of the vacation of streets, one-half of the ownership of the street passes to the adjacent property owners. If this is the case, should we not receive ownership of the East 1/2 of Schroeder Avenue from the alley to the North line of Lots 96 and 100.

Very truly yours,

T. C. Netherton
District Engineer

RECEIVED
MAY 9 1960

OFFICE OF
BOARD OF PUBLIC WORKS

FORT WAYNE 2, INDIANA

DB 4/3/17

13

41-259-7

APR 20 1960
NOTED

B. O. 37-'60

Date March 7, 1960

To City Engineer

Subject Vacation - Schroeder Avenue

Received a petition for the Vacation of Schroeder Avenue from the north boundary of East Pontiac Street to the south boundary of the Pennsylvania Railroad Company.

Prepare an opinion, after conferring with all Governmental agencies and utilities.

Paul F. Roembke
John D. Lombard
Berkeley Ward
BOARD OF PUBLIC WORKS

ic
attach copy of petition
cc: Mayor Burns

Signed

Reply:

1030

April 19, 1960

Declaratory resolution, drawing, and property ownership list completed and attached.

Edward Green - D.B.
Edward Green,
City Engineer

DB/is
attachs.

RECEIVED
APR 19 1960

Signed

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

City of Fort Wayne

OFFICE OF
CITY PLAN COMMISSION

2

FORT WAYNE 2 INDIANA

April 18, 1960

Mr. Donald Bodeker
Office Engineer
City Engineers Office
425 South Calhoun Street
Fort Wayne, Indiana

Dear Don:

We have reviewed the proposed vacation of Schroeder Avenue from Pontiac Street north to the north property line of Lots 96 and 101 in Abbotts Outlots. In connection with the proposed vacation, we have the following comments:

It would be our recommendation that the street in question be vacated since the street serves no useful purpose to the city, and is presently only 32' in width. Also, the lots adjoining the street are all owned by one individual and, therefore, the lots would have adequate access onto Pontiac Street.

Sincerely,

CITY PLAN COMMISSION

William J. Jones
Planning Director

WJJ:mo

1030

NOTICE OF IMPROVEMENT

OFFICE BOARD OF PUBLIC WORKS

Fort Wayne, Indiana, April 29, 1960

1030

To.....

.....

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did pass Improvement/Declaratory Resolution No. 1030-1960 providing for the Vacation of Schroeder Avenue from the north property line of Pontiac Street to the north property line of Lots 96 and 100, Abbott's Out Lots.

All work to be done under aforementioned Improvement Resolution shall be in accordance with the detailed plans, profile and specifications which are now on file and may be seen in the office of the Board of Public Works.

The Board has fixed Thursday, May 19, 1960 - 7:30 pm I.S.T. a date and time when they will hear and consider objections or remonstrances from all persons whose propery will be affected by the proposed improvement.

You are hereby notified that

is subject to assessment for said proposed improvement under the Improvement Laws passed by the General Assembly of the State of Indiana, March 6, 1905, and under all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

Improvement Resolution No. 1030 -1960 For THE VACATION OF SCHROEDER AVENUE FROM THE NORTH PROPERTY LINE OF PONTIAC STREET TO THE NORTH PROPERTY LINE OF LOTS 96 & 100, ABBOTT'S OUT LOTS.

#	OWNER'S NAME	ADDRESS	R. P. O.	NUMBER OF LOT	NUMBER OF BLOCK	NUMBER OF O. L.	DESCRIPTION
1	FORT WAYNE WIRE DIE CO.	2625 E. Pontiac St.		90			ABBOTT'S OUT LOTS
2	" "	"		101			"
3	" "	"		91-	W. 32'		"
4	REYNOLDS, MARVIN D. & MARY A.	2707 E. Pontiac St.		91-	E. 16'		"
5	" "	"		92-	W. 16'		"
6	SMILEY, WEAVER H. & SUZANNE	2709 E. Pontiac St.		92-	E. 31'		"
7	PITTSBURGH, FT. WAYNE & CHICAGO RAILWAY CO.	C/O PENNSYLVANIA RAILROAD CO. 1411 S. Harrison St.		96			"
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61	NOTICES MAILED ON ~~[illegible]~~						
62	April 29, 1960						
63	/s/ Beryl Rehling						
64							
65							
		TOTAL					

1030 4-19-60

1030